

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**RICHARD C. BROWER,**

**PLAINTIFF,**

**VS.**

**CIVIL ACTION NO. 2:05CV212-P-A**

**STALEY, INC.,**

**DEFENDANT.**

**ORDER**

This matter comes before the court upon Defendant's Motion to Strike Plaintiff's Expert Witnesses and Opinions or, Alternatively, to Preclude Plaintiff's Experts from Offering Testimony at Trial on the Issues of Causation, Plaintiff's Permanent Disability, and Loss of Wage Earning, and Future Medical Expenses [86]. After due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

The motion should be granted insofar as it seeks to exclude testimony regarding future medical expenses, given that the plaintiff concedes in his response that "none of the experts offer an opinion as to what future medical expenses the Plaintiff will incur." Plaintiff's Response, p. 7. The motion should be denied in all other respects since the individual opinions of each of the plaintiff's experts have not been shown to run afoul of Fed. R. Evid. 702. The defendant's concerns can be adequately addressed during cross examination at trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the defendant's motion to strike [86] is **GRANTED IN PART AND DENIED IN PART** as explained above.

**SO ORDERED** this the 26<sup>th</sup> day of October, A.D., 2007.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE